

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1, 3, 4-7, 9-11, 18, 19, 22 and 25-27 are pending, claims 1, 7 and 18 having been amended, and claims 25-27 having been newly added.

Rejection of Claims 1, 3-6, 7, and 9-11

On page 2 of the Final Office Action of July 21, 2006, the Examiner rejected claims 1, 3-6, 7, and 9-11 as allegedly being anticipated by published U.S. Patent Application 2002/0007276 to Rosenblatt et al. (“Rosenblatt”). Applicant submits that amended claims 1 and 7 obviate the rejection.

Amended independent claim 1 is directed to a method of delivering a multi-media message to a recipient, wherein the multi-media message is created by a sender for delivery by an animated entity. The method includes, among other things, delivering the multi-media message to the recipient with the animated entity speaking a recorded audio message from the sender, wherein when the animated entity delivers the multi-media message corresponding to a text message (converted from the audio message), the animated entity exhibits actions associated with a respective one of at least one emoticon (inserted into the text message) beginning at a point corresponding to a first predetermined amount of time before the respective one of the at least one emoticon and ending at a second point corresponding to a second predetermined amount of time after the respective one of the at least one emoticon, and the first predetermined amount of time and the second predetermined amount of time are defined based, at least partly, on words surrounding the respective one of the at least one emoticon.

Applicant submits that neither Rosenblatt nor Mitchell disclose or suggest, either separately or in combination, the above-mentioned features required by claim 1. Therefore, Applicant respectfully requests that the rejection of claim 1 be withdrawn.

Claims 3-6 depend from claim 1 and are patentable over Rosenblatt in view of Mitchell for at least the reasons discussed with respect to claim 1. Therefore, Applicant respectfully requests that the rejection of claims 3-6 be withdrawn.

Amended independent claim 7 recites features similar to those of claim 1. Applicant submits that claim 7 is patentable over Rosenblatt in view of Mitchell for at least reasons similar to those discussed with respect to claim 1. Therefore, Applicant respectfully requests that the rejection of claim 7 be withdrawn.

Claims 9-11 depend from claim 7. Applicant submits that claims 9-11 are patentable over Rosenblatt in view of Mitchell for at least reasons similar to those discussed with respect to claim 7. Therefore, Applicant respectfully requests that the rejection of claims 9-11 be withdrawn.

Rejection of Claims 18, 19 and 22

On page 4 of the Final Office Action, the Examiner rejected claims 18, 19 and 22 under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,289,085 to Miyashita et al. ("Miyashita") in view of Mitchell. Applicant submits that amended claim 18 obviates the rejection.

Amended independent claim 18 is directed to a method of providing a synthesized voice with sender voice characteristics. The method includes, among other things, using audio parameters, synthesizing a voice that is not the sender's voice but includes at least one sender voice characteristic for delivery of a message with an animated entity speaking the message, corresponding to a text message, with a synthesized voice, wherein when the animated entity speaks the message, the animated entity exhibits actions associated with a

respective one of at least one emoticon (inserted by the sender into the text message) beginning at a point corresponding to a first predetermined amount of time before the respective one of the at least one emoticon and ending at a second point corresponding to a second predetermined amount of time after the respective one of the at least one emoticon, and the first predetermined amount time and the second predetermined amount of time are defined based, at least partly, on words surrounding the respective one of the at least one emoticon.

Applicant submits that neither the Miyashita nor Mitchell disclose or suggest, either separately or in combination, the above-mentioned features required by claim 18. Therefore, Applicant respectfully requests that the rejection of claim 18 be withdrawn.

Claims 19 and 22 depend from claim 18 and are patentable over Miyashita in view of Mitchell for at least the reasons discussed with respect to claim 18. Therefore, Applicant respectfully requests that the rejection of claims 19 and 22 be withdrawn.

New Claims 25-27

New claims 25-27 depend from claims 1, 7 and 18, respectively, and are patentable over the cited art for at least the reasons discussed above with respect to claims 1, 7 and 18. Further, Applicant submits that claims 25-27 are also patentable for reciting other features.

CONCLUSION

Having addressed all rejections, Applicant respectfully submits that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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